REMARKS

In the Office Action, the Examiner rejected claims 6, 9, and 10 under 35 U.S.C. §112, as failing to comply with the written description requirement, rejected claim 13 under 35 U.S.C. §102(e) as being anticipated by Norris (WO 01/65441), and rejected claims 6 and 9-12 under 35 U.S.C. § 103(a) as being upantentable over Norris in view of Iyer (WO 00/79453). Applicants respectfully traverse each and every rejection included in the Office Action.

By this amendment, Applicants have amended claims 6, 9, 10, and 13 of the application. Claims 6 and 9-13 remain pending. Applicants respectfully submit that the pending claims are in condition for allowance and request reconsideration and reexamination of this application.

AMENDMENTS TO THE CLAIMS

Applicants have amended claims 6, 9, and 13 to require that

> the medicine prototype support system is configured to receive a request for prototype manufacture including the confidential first main ingredient information from the product manufacturer, to select the second main ingredient using the information conversion means, to select the composition ingredient using the composition ingredient determination means, and to transmit a second request for prototype manufacture including the second main ingredient information and the composition ingredient information to the composition manufacturer system.

Support for these amendments may be found, for example, in the specification at page 25, line 19 - page 30, line 21 of the specification and in figures 4A and 4B.

As amended, claim 10 recites "receiving a first request for prototype manufacture from a product manufacturer" and "transmitting a second request for prototype manufacture to the composition manufacturer, the request for prototype manufacture

including the identities of the selected second main ingredient and the selected composition ingredient." Exemplary support for the amendments to claim 10 may also be found in the specification at page 25, line 19 - page 30, line 21 of the specification and in figures 4A and 4B.

Applicants have further amended the claims to enhance readability without adding new matter.

THE SPECIFICATION SUPPORTS THE CLAIMS

Applicants respectfully traverse the rejection of claims 6, 9, and 10 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. As set forth in Applicants' last Amendment, page 28, line 14 - page 29, line 5 of the specification provides exemplary support for "properties sufficiently similar to the confidential main ingredient to permit substitution thereof when making a prototype similar to a prototype using the first main ingredient." To move prosecution forward, Applicants have amended claims 6, 9, and 10 to recite "selecting a second main ingredient having properties similar to a confidential first main ingredient."

The specification certainly supports claims 6, 9, and 10, as amended. Specifically, the specification describes a written request for prototype manufacture where "the information about the main ingredient X1," an exemplary confidential main ingredient, "is not disclosed." *Id.* at page 28, l. 27. Rather, "main ingredient X'1 is disclosed depending on [its] confidential rank and the main ingredient X"1 ... can be disclosed." *Id.* at page 29, l. 1-5. For example

> in the preparation development using a verapamil hydrochloride (X1) which is a vasoconstrictor, dilazzephydrochloride (X'1) is selected. The dilazep hydrochloride ... is a vasoconstrictor, and is selected

> because it indicates a **similar** solubility level "sparingly soluable". From the **similarity** in soluability which is the main factor affecting the particle-generating process ... acetaminophen (X"1) which is a antifebrile is selected. It is impossible to estimate the development of the verapamil hydrochloride [X1] from the acetaminophen [X"1].

Id. at page 29, lines 11-22 (emphasis added). The specification goes on to explain that the "ingredient manufacturer offers the information about other composition ingredients including the main ingredient X'1 and composition ingredient X2," but does not disclose exemplary confidential main ingredient X1. *Id.* at page 29, line 23 - page 24, line 21. In view of this exemplary disclosure, Applicants respectfully request that the Examiner withdraw the rejection of claims 6, 9, and 10 under 35 U.S.C. §112, first paragraph.

CLAIMS 6, 9, AND 13 ARE ALLOWABLE OVER THE APPLIED REFERENCES

Applicants respectfully traverse the rejection of claims 6 and 9 as being obvious over Norris and Iyer, and traverse the rejection of claim 13 as being anticipated by Norris. As amended, claims 6, 9, and 13 require medicine prototype support systems "configured to receive a request for prototype manufacture including the confidential first main ingredient information from the product manufacturer" and "to transmit a second request for prototype manufacture including the second main ingredient information and the composition ingredient information to the composition manufacturer system," where "the first confidential main ingredient information is confidential information of the product manufacturer, and the medicine prototype support system does not reveal the identity of the confidential first main ingredient to the composition manufacturer system." Norris and Iyer, taken alone or together, fail to disclose or suggest at least this combination of features.

Norris describes a "system and method for the automated selection of formulations ... by specifying product characteristics ... ." *See* Norris at Abstract. The system taught by Norris "aggregates formulations ... from one or more suppliers" and allows customers to "provide performance criteria to locate formulations that most appropriately meet their needs from a variety of suppliers." *Id.* at 7, lines 10-22. Figure 8 of Norris provides a "flow diagram of the process of a customer stepping through the Formulation Web Site to derive a set of formulations." *Id.* at 16, lines 1-2. Specifically, "the customer enters information that defines the formulation application, e.g. coatings, glue, clock circuits, etc." and "enters limits and prioritizes features in selecting the formulation." *Id.* at 16, lines 3-5. A set of requirements is defined and used to generate a query. *Id.* at 16, lines 5-7. The results of this query are output, allowing the customer to "view the results," compare formulations, and "select desired ones of the formulations to save for later, purchase components, and etc." *Id.* at 16, lines 7-11. Norris, therefore, teaches the presentation of formulations to a customer in response to "performance criteria" received from that customer. Accordingly, Norris does not teach receiving "a request for prototype manufacture ... from the product manufacturer" and transmitting "a second request for prototype manufacture ... to the composition manufacturer system," as recited in claims 6, 9, and 13.

The formulations discussed in Norris do not correspond to the claimed requests for prototype manufacture. Instead of requests for manufacture, the formulations are "product specifications ... [that] impart the understanding to build at least a prototype product." *Id.* at 7, 11-13. A formulation stored in Norris' database will not result in the manufacture of a product or prototype, unless and until a customer selects the

formulation from the database system and asks the product manufacturer to make the formulation or to provide its constitute parts.

Iyer fails to cure the above-described deficiencies of Norris. Iyer teaches a "system and method for responding to user requests for a product [that] provides a selection of alternate products." *Iyer* at Abstract. Specifically, "[a]vailable products having attributes similar to those of the requested product are ranked in order of a similarity measure, and presented to the user." *Id.* Like Norris, Iyer collects information from the user and presents alternate products to that same user. *E.g. Id.* at 2, lines 12-25. This reference does not teach or suggest, however, receiving "a request for prototype manufacture ... from the product manufacturer" and transmitting "a second request for prototype manufacture ... to the composition manufacturer system," as recited in claims 6, 9, and 13. For at least these reasons, claims 6, 9, and 13 are allowable over Norris and Iyer.

CLAIMS 10-12 ARE ALLOWABLE OVER THE APPLIED REFERENCES

Applicants respectfully traverse the rejection of claims 6 and 9-12 as being obvious over Norris and Iyer. As amended, independent claim 10 recites a method including "receiving a first request for prototype manufacture from a product manufacturer, the request including first main ingredient information that is confidential information of the product manufacturer," selecting a second main ingredient having properties similar to the confidential main ingredient," and "transmitting a second request for prototype manufacture to the composition manufacturer, the request for prototype manufacture including the identities of the selected second main ingredient

and the selected composition ingredient." The applied references fail to teach or suggest at least this combination of features.

As described above, Norris teaches the presentation of formulations to a customer in response to "performance criteria" received from that customer. Norris does not teach receiving "a request for prototype manufacture ... from the product manufacturer" and "transmitting a second request for prototype manufacture ... to the composition manufacturer system," as recited in claim 10. Moreover, the "formulations" discussed in Norris do not correspond to the claimed requests for prototype manufacture. Instead of requests for manufacture, the formulations are "product specifications ... [that] impart the understanding to build at least a prototype product." *Id.* at 7, 11-13.

Iyer fails to cure the above-described deficiencies of Norris. Iyer teaches a "system and method for responding to user requests for a product [that] provides a selection of alternate products." *Iyer* at Abstract. Specifically, "[a]vailable products having attributes similar to those of the requested product are ranked in order of a similarity measure, and presented to the user." *Id.* Like Norris, Iyer collects information from the user and presents alternate products to that same user. *E.g. Id.* at 2, lines 12-25. This reference does not teach or suggest, however, "receiving a request for prototype manufacture ... from the product manufacturer" and "transmitting a second request for prototype manufacture ... to the composition manufacturer system," as recited in claim 10.

For at least these reasons, claims 10 is allowable over Norris and Iyer. Claims 11 and 12 are alllowable at least due to their dependence from claim 10.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: June 10, 2008

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